

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

No. 23-926 T
(Judge Molly R. Silfen)

SELWYN KARP and BARBARA ADAMS-KARP,

Plaintiffs,

v.

UNITED STATES,

Defendant.

CONSENTED MOTION OF THE UNITED STATES
(1) FOR ENLARGEMENT OF TIME TO RESPOND TO COMPLAINT, AND
(2) TO UNSEAL REDACTED COMPLAINT

The United States respectfully moves the Court for an enlargement of time of 60 days, from August 21, 2023, to and including October 20, 2023, within which to answer or otherwise respond to plaintiffs' complaint (Doc. 1). This is the first enlargement requested for this purpose.

Defendant requests the additional time because defendant's counsel has not yet received the administrative files from the Internal Revenue Service (IRS). The files are necessary for the IRS's Office of Chief Counsel to prepare its recommendation regarding the defense of this case, based on information contained in the administrative files. Receipt and review of these materials are necessary in order for defendant's counsel to prepare a meaningful response to plaintiffs' complaint.

Additionally, the United States moves the Court for an order unsealing the redacted complaint and exhibits at Docket No. 3. In accordance with RCFC 9(m), plaintiffs filed this

redacted copy when they moved to seal the original complaint and exhibits. (Docs. 1–2). The redacted version (Doc. 3) was mistakenly sealed alongside the unredacted original.

Plaintiffs’ counsel has advised counsel for defendant that they consent to an enlargement of time to answer and to unseal the redacted complaint.

Respectfully submitted,

August 10, 2023

s/ Richard J. Markel
RICHARD J. MARKEL
Trial Attorney
U.S. Department of Justice
Tax Division
Court of Federal Claims Section
Post Office Box 26
Washington, D.C. 20044
Telephone: 202-353-9175
Fax: 202-514-9440

DAVID A. HUBBERT
Deputy Assistant Attorney General
DAVID I. PINCUS
Chief, Court of Federal Claims Section
MARY M. ABATE
Assistant Chief, Court of Federal Claims Section

s/ Mary M. Abate
Of Counsel